

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 26, 2006

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MI 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR
MICHAEL D. KOEHS, CLERK
MARIE MALBURG, TREASURER
DINO F. BUCCI, JR, TRUSTEE
JANET DUNN, TRUSTEE
ROGER KRZEMINSKI, TRUSTEE
NANCY NEVERS, TRUSTEE

ABSENT: NONE

ALSO PRESENT: Lawrence Dloski, Legal Counsel
Jerome Schmeiser, Planning Consultant
James VanTiflin, Engineering Consultant
(Additional attendance on file at the Clerk's Office)

Supervisor BRENNAN called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

Supervisor Brennan gave a Certificate of Appreciation to Deputies Peter Gennette and Robert Doherty for their many years of service while assigned to the Macomb Township Substation. Deputy Gennette is retiring next month in August, and Deputy Rob Doherty has been reassigned.

ROLL CALL

1. Clerk KOEHS called the roll and the entire Board of Trustees was present.

APPROVAL OF THE AGENDA

2. The agenda was reviewed and the following additions, corrections or deletions were discussed and made: item 17A, Request Authorization to Defend in the matter of Buffa v Imbronone was added; item 17B, Request for approval of fireworks for Dakota Boosters was added; item 17C, Creation of and Appointment to the Solid Waste Committee was added; item 17D, HVAC Maintenance Contract proposal for the Town Hall was added; item 17E, Request to Purchase the SAD Computer Module for the Treasurer's Office was added and item 24, Macomb Twp. V Broughton Road LLC was added.

MOTION by DUNN seconded by BUCCI to approve the agenda as amended.

MOTION carried.

APPROVAL OF THE BILLS

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 26, 2006

3. Both bill runs were reviewed and there were no additions, deletions or corrections.

MOTION by KRZEMINSKI seconded by BUCCI to approve both bill runs as presented.

MOTION carried.

APPROVAL OF THE PREVIOUS MEETING MINUTES

4. The minutes of the previous meeting held on July 12, 2006 were reviewed and there were no additions, corrections or deletions.

MOTION by DUNN seconded by MALBURG to approve the minutes of the meeting of July 12, 2006 as presented.








MOTION carried.

5. **Consent Agenda Items:**




A. Clerk's Department:

1. Release of Model Permit Bond Release; Koss Farms Subdivision, Lot #5, Section 21.
2. Wall Sign Bond Return; A P Nails, Section 20.
3. Release of Model Permit Bond; Emerald Green Subdivision, Lot #63, Section 5.
4. Model Permit Bond Release Request; Manor Place Subdivision-Lot #7 Section 28.
5. Model Permit Bond Release; Deerfield Park East Subdivision, Lot #1, Section 22.
6. Model Permit Bond Release, Deerfield Farms Subdivision, Lot #49, Section 22.
7. Model Permit Bond Release, Deerfield Farms Subdivision, Lot #50, Section 22.
8. Model Permit Bond Release Request; Rocco Estates Subdivision, Lot #5, Section 28.
9. Model Permit Bond Release Request, Golden Gate Estates, Lot #2, Section 22.
10. Model Permit Bond Release Request; Golden Gate Estates, Lot #1, Section 22.
11. Wall Sign Bond Return Request, Friends Salon, Parcel # 08-31-300-025, Section 31 Macomb Township.
12. Sanitary Sewer & Water Main Bond Return Request; Riverwoods Subdivision #4, Section 33 Macomb Township.
13. Release of Model Permit Bond; Summerfield Estates Subdivision #4 (Lot 247) Section 27 Macomb Township.
14. Release of Model Bond Permit Bond; Buckingham Village Subdivision #2, (Lot 153) Section 22 Macomb Township.



MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 26, 2006

15.  Bond Release for Ground Sign-Schoolhouse Montessori; Located on the south side of 23 Mile Road, 220 feet east of Romeo Plank Road; Signs & More, Petitioner. Permanent Parcel No. 08-20-200-043.
16.  Request for Water & Sewer Utility Bond Release, Section 33.
17.  Request for Release of Site Plan Bond; Warwick Village Condominiums; Section 31.
18.  Request for Release of Model Permit Bond; Middle River Subdivision, Lot #108, Section 21.
19.  Request for Release of Model Bond Permit; Villa Rosa #5 Subdivision, Lot 284. Section 7, Macomb Township. SDA Review No. MA89-107e.
20.  Request for Entrance Sign Bond Release; Riverwoods Subdivision, south side of 21 Mile Road east of Romeo Plank Road, Section 33 Macomb Twp. SDA Review No. MA90-109.
21.  Request for a Personal Leave of Absence; Fire-Fighter Geoffrey Smith.

B. Water and Sewer Department

1.  Easement Encroachment Agreement, Steve R. Hadley & Mary E. Hadley, 22567 Fieldcrest Drive, Macomb, MI, 48044, Lot 8, The Bluffs of Beaufait Farms Subdivision. Parcel No. 08-35-256-023. (Above Ground Pool)
2.  Easement Encroachment Agreement, Ted A. Zaranek & Wendy E. Zaranek, 51860 Flyer Drive, Macomb, MI, 48042, Lot 125, the Fairways of Macomb No. 2 Subdivision. Parcel No. 08-15-403-006. (Concrete Decking for an in ground pool)
3.  Easement Encroachment Agreement, Greg S. Hagen & Wendy M. Hagen, 19222 Reef Drive, Macomb, MI, 48044, Lot 207, Riverwoods Subdivision No. 4. Parcel No. 08-33-176-001. (Concrete Decking for an in ground pool)

C. Department Monthly Reports:

1.  Water & Sewer Department
2.  Fire Department

Supervisor BRENNAN reviewed the consent agenda and asked if the Board members wanted to remove any item for individual action. There were no requests to remove any item from the consent agenda.

MOTION by DUNN seconded by KOEHS to approve the Consent Agenda as presented.

MOTION carried.

6. **Public Comments - (3 minute time limit)** **NONE**

AGENDA ITEMS

NEW BUSINESS

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 26, 2006

7.  Request to Schedule a Public Hearing Date for Street Lighting; Riverwoods Farms. (August 23, 2006)

Supervisor BRENNAN reviewed this request and asked Clerk KOEHS for a recommended hearing date. Clerk KOEHS recommended Wednesday, August 23, 2006.

MOTION by BUCCI seconded by KRZEMINSKI to schedule a Public Hearing Date for Street Lighting for the Riverwoods Farms Subdivision on August 23, 2006, at 7:00 p.m.


MOTION carried.

8.  Request to Award Bid for Senior Center & Media Center Parking Lot Rehabilitation.

Supervisor BRENNAN and Spalding DeDecker engineer James VanTiflin reviewed the project and the bids that were received and recommended that the bid be awarded to Nagel Paving Company.

MOTION by DUNN seconded by NEVERS to award the bid for the Senior Center & Media Center Parking Lot Rehabilitation to Nagle Paving Company in the amount of one hundred ninety two thousand six hundred fifty eight dollars and forty five cents (\$192,658.45).


MOTION carried.

9.  Request for Model Permits; Golfview Estates Subdivision; Section 25, Macomb Township, Lots 24,28,29 & 30. SDA Review No. MA00-155
Supervisor BRENNAN reviewed the documentation received regarding this and stated his recommendation to approve this request.

MOTION by BUCCI seconded by MALBURG to approve the request for Model Permits for Golfview Estates Subdivision; Section 25, Macomb Township, Lots 24,28,29 & 30, SDA Review No. MA00-155.

MOTION carried.

FIRE DEPARTMENT

10.  Request to Purchase 2006 Chevrolet 2500 Utility Vehicle.
Fire Chief Robert Phillips reviewed the bids that were received and recommended that the bid for the purchase of this vehicle be awarded to Heidebreicht Chevrolet.

MOTION by KRZEMINSKI seconded by MALBURG to approve the request from the Fire Chief to Purchase 2006 Chevrolet 2500 Utility Vehicle from

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 26, 2006


Heidebreicht Chevrolet for the amount of twenty nine thousand eight hundred fourteen dollars and fifty cents (\$ 29,814.50).

MOTION carried.

MOTION by KRZEMINSKI seconded by KOEHS to approve the spending of up to four thousand dollars (\$ 4,000.00) for lights, equipment and painting for the 2006 Chevrolet 2500 Utility Vehicle.

MOTION carried.

MEDIA DEPARTMENT


11.  Request to Approve Change Order for Media Center Renovations

James Gillis, Broadcast Media Department Manager, explained this item and the need for the new handicap railings at the Media Center. He then stated his recommendation for approval.

MOTION by KOEHS seconded by DUNN to approve the Change Order for Media Center Renovations in the amount of sixteen thousand four hundred seventy three dollars and seventy five cents (\$ 16,473.75).

MOTION carried.

HUMAN RESOURCES DEPARTMENT

12.  Request for Approval to hire Paid-On-Call Fire Fighters.

John Brogowicz, Human Resources Director, reviewed this item and introduced the candidates for Paid on Call Fire Fighter. He then stated that the Fire Chief and Human Resources Department recommend that these fire fighters be hired.

MOTION by KOEHS seconded by DUNN to approve the hiring of the following Paid-On-Call Fire Fighters: Mark Bommarito, Christopher Fontaine, Gerald Genna, Ryan Tengler and Christopher Weber.

MOTION carried.

13.  Request to Initiate Recruitment Process for Paid-On-Call Fire Fighters.


John Brogowicz, Human Resources Director, reviewed this item and indicated that he would like permission to initiate the process to recruit ten additional fire fighters, specifically for Stations 3 and 4. He also explained the reimbursement conditions for training provided to candidates if they were to leave within the first two years of employment.

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 26, 2006

MOTION by DUNN seconded by BUCCI to permit the Human Resources Department to initiate the recruitment process for ten additional Paid-On-Call Fire Fighters with the conditions as explained by the Human Resource Director.

MOTION carried.


WATER AND SEWER DEPARTMENT

14.  Pay Certificate #3 23 Mile Road Water Main (The Rivers Estates to the North Branch of the Clinton River) Pamar Enterprises, Inc. MA04-013.

David Koss, Water and Sewer Superintendent, reviewed this matter and indicated that he and the Consulting Engineers are recommending approval.

MOTION by KOEHS seconded by KRZEMINSKI to approve Pay Certificate #3 for the 23 Mile Road Water Main (The Rivers Estates to the North Branch of the Clinton River) Pamar Enterprises, Inc. MA04-013 in the amount of one hundred sixty one thousand five hundred seventy one dollars and twenty five cents (\$ 161,571.25).

MOTION carried.

15.  Pay Certificate #6, 23 Mile Road Water Main (23 Mile Road Water and Sewer replacement) Pamar Enterprises, Inc. MA02-007 & MA02-022.

David Koss, Water and Sewer Superintendent, reviewed this matter and stated that he and the Consulting Engineers are recommending approval.

MOTION by BUCCI seconded by MALBURG to approve the Pay Certificate #6, 23 Mile Road Water Main (23 Mile Road Water and Sewer replacement) Pamar Enterprises, Inc. MA02-007 & MA02-022 in the amount of one hundred seventy five thousand four hundred thirty three dollars and sixteen cents (\$ 175,433.16).

MOTION carried.

16.  Request to Attend Michigan Section, AWWA Conference

David Koss, Water and Sewer Superintendent, reviewed this matter and indicated that this would provide him with most of the necessary Continuing Education Credits needed to keep his licensures current.

MOTION by KRZEMINSKI seconded by KOEHS to approve the request to have David Koss attend the Michigan Section, AWWA Conference in the amount of seven hundred seventy one dollars (\$ 771.00) plus meals and mileage per Township policy.

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 26, 2006

MOTION carried.

BOARD COMMENTS

17. Supervisor Comments:

17A. Request Authorization for Legal Counsel to defend in the matter of Buffa et al vs. Imbronone et al, Case No. 06-2003-CZ.

Supervisor BRENNAN reviewed this legal matter and indicated that this was administrative in nature.

MOTION by KRZEMINSKI seconded by BUCCI to approve the request for authorization for Legal Counsel to defend in the matter of Buffa et al vs. Imbronone et al, Case No. 06-2003-CZ.

MOTION carried.

17B. Request for a Fire Works Permit for the Dakota High School Athletic Boosters.

Supervisor BRENNAN reviewed this matter and indicated that the last time we allowed fire works at Dakota, we received numerous complaints from the neighbors regarding debris in their yards and damage to pool covers. Fire Chief Phillips also presented his written recommendation that this request be denied for safety reasons. He also indicated that there would be a considerable cost to keep the fire apparatus and personnel on the site that would be recommended by the International Fire Code.

Representatives from the Dakota Boosters Club advocated for permission to put on the fire works, indicating that they had taken all of the steps they felt were necessary.

MOTION by KOEHS seconded by BUCCI to follow the recommendation of the Fire Chief and deny the request for a Fire Works Permit for the Dakota High School Athletic Boosters.

AYES: KOEHS, BUCCI, KRZEMINSKI, MALBURG, NEVERS, BRENNAN

NAYS: DUNN

ABSTAIN: NONE

MOTION carried.

17C. Request to establish a Solid Waste Committee and to appoint members to it.

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 26, 2006

Supervisor BRENNAN indicated that the issue of a Single Waste Hauler was moving forward, and that this committee would review the documentation and ensure that the Township's interests were protected. He then asked for Board Members who would be interested and made his recommendation for additional appointments.

MOTION by KRZEMINSKI seconded by KOEHS to approve the creation of a Solid Waste Committee and appoint the following members to it: Dino Bucci, Janet Dunn, Roger Krzeminski, Pat Czaiczynski and Pat Kusiak.

MOTION carried.

- 17D. Request to approve a three year maintenance contract for the HVAC system at the Town Hall.

Supervisor BRENNAN reviewed this matter and indicated that this would amount to a three year extension of an existing contract. Greater Detroit Heating and Cooling has done all of the maintenance to date on the HVAC system at the new town hall.

MOTION by KOEHS seconded by MALBURG to approve the request for a three year maintenance contract for the HVAC system at the Town Hall with Greater Detroit Heating and Cooling for the amount of one thousand seven hundred and twenty dollars (\$ 1,720.00) per year.

MOTION carried.

- 17E. Request to purchase the Special Assessment District Module for the Treasurer's Office BS&A software.

Supervisor BRENNAN indicated that the Treasurer's office was looking to expand its computer services by adding the Special Assessment District Module to the BS&A software system, which does the tax and assessing processing for the Township.

MOTION by DUNN seconded by BUCCI to approve the purchase of the Special Assessment District Module for the Treasurer's Office BS&A software in the amount of four thousand four hundred ninety five dollars (\$ 4,495.00), plus a nine hundred dollar (\$ 900.00) per year maintenance fee.

MOTION carried.

18. Clerk Comments: NONE
19. Treasurer Comments: NONE
20. Trustees Comments: NONE

EXECUTIVE SESSION

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 26, 2006

MOTION by KOEHS seconded by DUNN to adjourn to Executive Session.

MOTION carried. (Adjourned to Executive Session at 7:39p.m.)

Returned from Executive Session at 7:45 p.m.

21.  **Proposed Consent Judgment; Joseph Caradonna v. Macomb Township; Circuit Court Case No. 2005-3579-CE.**

MOTION by KOEHS seconded by KRZEMINSKI to deny the Proposed Consent Judgment; Joseph Caradonna v. Macomb Township; Circuit Court Case No. 2005-3579-CE and have legal counsel advise the petitioner to reinitiate the rezoning process.

MOTION carried.

22.  **Proposed Consent Judgment for LandTech Investments v Macomb Twp.**

Informational only. No action taken at this time.

23.  **Easement Acquisition, Hayes Road Water Main Project.**

MOTION by KOEHS seconded by BUCCI to approve the Easement Acquisition, Hayes Road Water Main Project.

MOTION carried.

24. Macomb Twp. V Broughton Road LLC.

MOTION by KOEHS seconded by MALBURG to authorize the Supervisor and the Attorney to sign the Consent Judgment of Macomb Twp. V Broughton Road LLC as presented.

MOTION carried.

ADJOURNMENT

MOTION by BUCCI seconded by KRZEMINSKI to adjourn the meeting at 7:50 p.m.

MOTION carried.

Respectfully submitted,

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 26, 2006

John D. Brennan
Macomb Township Supervisor

Michael D. Koehs, CMC
Macomb Township Clerk